

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
RECEIVING OFFICE

In re Applicant: § Examiner: To Be Assigned  
KIEPE, Thomas §  
Serial No. 10/579,888 § Art Unit: To Be Assigned  
Filed: May 18, 2006 §  
For: PACKING § Attorneys' Docket No. 016273-01000

CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. 1.8

MAIL STOP PCT  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

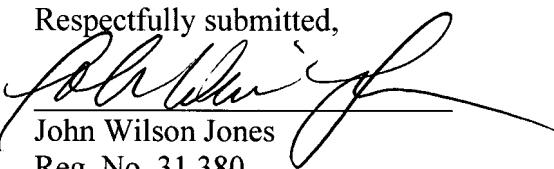
Dear Sir:

I hereby certify that the following enclosed documents, are being transmitted by First-Class, United States Mail, in an envelope addressed to: MAIL STOP PCT, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

- (1) Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing Under 35 U.S.C. 371 (PTO-1390 - 3 pgs.);
- (2) Certificate of Mailing Under 37 C.F.R. 1.8 (1 pg.);
- (3) Copy of Notification of Missing Requirements Under 35 USC 371 (2 pgs.);
- (4) Petition for Extension of Time (1 pg.);
- (5) Credit Card Payment Form (PTO-2038 - 1 pg.);
- (6) English translated Specification with Figures 1-3 (14 pgs.);
- (7) Declaration with Patent Application Data Sheet (PTO-01A - 3 pgs.);
- (8) Power of Attorney (PTO-81 - 1 pg.);
- (9) Information Disclosure Statement (PTO-08A - 3 pgs.);
- (10) Copies of 16 Foreign References; and
- (11) Return receipt postcard.

Date: May 15, 2007

Respectfully submitted,

  
John Wilson Jones  
Reg. No. 31,380

JONES & SMITH, LLP  
2777 ALLEN PARKWAY, SUITE 800  
HOUSTON, TEXAS 77019-2129  
(713) 528-3100  
(713) 893-6076 FAX

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<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		ATTORNEY'S DOCKET NUMBER 016273-01000
INTERNATIONAL APPLICATION NO. PCT/EP2004/012291	INTERNATIONAL FILING DATE 29 October 2004 (29.10.2004)	U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/579,888
TITLE OF INVENTION PACKING		
APPLICANT(S) FOR DO/EO/US KIEPE, Thomas		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.</p> <p>2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))           <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ul> </p> <p>6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))           <ul style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ul> </p> <p>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))           <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ul> </p> <p>8. <input checked="" type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>		
<p><b>Items 11 to 20 below concern document(s) or information included:</b></p> <p>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 16 foreign references attached</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input type="checkbox"/> A preliminary amendment.</p> <p>14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input checked="" type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p>		

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/579,888	INTERNATIONAL APPLICATION NO. PCT/EP2004/012291	ATTORNEY'S DOCKET NUMBER 016273-01000																																																																																																																																						
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The fee is \$250 for each additional 50 sheets of paper or fraction thereof.</td> <td colspan="2"></td> </tr> <tr> <td>Total Sheets</td> <td>Extra Sheets</td> <td>Number of each additional 50 or fraction thereof (round up to a whole number)</td> <td>RATE</td> </tr> <tr> <td>14 - 100 =</td> <td>/50 =</td> <td></td> <td>x \$250</td> </tr> <tr> <td colspan="2">Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).</td> <td colspan="2">\$</td> </tr> <tr> <td colspan="2">CLAIMS</td> <td>NUMBER FILED</td> <td>NUMBER EXTRA</td> <td>RATE</td> <td>\$</td> </tr> <tr> <td colspan="2">Total claims</td> <td>13 - 20 =</td> <td></td> <td>x \$ 50</td> <td>\$</td> </tr> <tr> <td colspan="2">Independent claims</td> <td>1 - 3 =</td> <td></td> <td>x \$200</td> <td>\$</td> </tr> <tr> <td colspan="3">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td></td> <td>+ \$360</td> <td>\$</td> </tr> <tr> <td colspan="5"><b>TOTAL OF ABOVE CALCULATIONS =</b></td> <td>\$</td> </tr> <tr> <td colspan="5"><input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.</td> <td></td> </tr> <tr> <td colspan="5"><b>SUBTOTAL =</b></td> <td>\$</td> </tr> <tr> <td colspan="5">Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).</td> <td>\$</td> </tr> <tr> <td colspan="5"><b>TOTAL NATIONAL FEE =</b></td> <td>\$</td> </tr> <tr> <td colspan="5">Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property</td> <td>\$</td> </tr> <tr> <td colspan="2"><b>3-month extension fee (small entity)</b></td> <td colspan="3"><b>TOTAL FEES ENCLOSED =</b></td> <td><b>\$ 510</b></td> </tr> <tr> <td colspan="5"></td> <td>Amount to be refunded: \$</td> </tr> <tr> <td colspan="5"></td> <td>Amount to be charged \$</td> </tr> </table>			The following fees have been submitted		CALCULATIONS	PTO USE ONLY	21. <input type="checkbox"/> Basic national fee (37 CFR 1.492(a))	..... \$300	\$		22. <input type="checkbox"/> Examination fee (37 CFR 1.492(c))		\$		If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) .....		\$0		All other situations .....		\$200		23. <input type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) .....		\$0		Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority .....		\$100		International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB .....		\$400		All other situations .....		\$500		<b>TOTAL OF 21, 22 and 23 =</b>				<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). 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- a.  A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.
- b.  Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees.  
A duplicate copy of this sheet is enclosed.
- c.  The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-4077. A duplicate copy of this sheet is enclosed.
- d.  Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

**NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.**

SEND ALL CORRESPONDENCE TO:

John Wilson Jones  
Jones & Smith, LLP  
2777 Allen Parkway  
Suite 800  
Houston, TX 77019

  
\_\_\_\_\_  
SIGNATURE  
John Wilson Jones  
\_\_\_\_\_  
NAME  
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31,380  
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REGISTRATION NUMBER



UNITED STATES PATENT AND TRADEMARK OFFICE

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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/579,888	Thomas Kiepe	016273-01000
INTERNATIONAL APPLICATION NO.		
		PCT/EP04/12291
I.A. FILING DATE		PRIORITY DATE
10/29/2004		11/18/2003
<b>CONFIRMATION NO. 5965</b>		
<b>371 FORMALITIES LETTER</b>		
 *OC000000021618793*		

Date Mailed: 12/15/2006

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 05/18/2006
- Copy of the International Search Report filed on 05/18/2006
- Copy of IPE Report filed on 05/18/2006
- U.S. Basic National Fees filed on 05/18/2006
- Priority Documents filed on 05/18/2006
- Specification filed on 05/18/2006
- Claims filed on 05/18/2006
- Abstracts filed on 05/18/2006
- Drawings filed on 05/18/2006

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Translation of the application into English. Note a processing fee will be required if submitted later than 30 months from the priority date.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

FREDERICK SMITH

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Telephone: (703) 308-9140 EXT 210

**PART 1 - ATTORNEY/APPLICANT COPY**

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U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/579,888	PCT/EP04/12291	016273-01000

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FORM PCT/DO/EO/905 (371 Formalities Notice)